

UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
27093B-CNT1Total Pages in this Submission
407**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

PORCINE REPRODUCTIVE AND RESPIRATORY SYNDROME VACCINE, BASED ON ISOLATE JA-142

and invented by:

BURKHART, Kelly; GORCYCA, David; ROOF, Mike; MENGELING, William; VORWALD, Ann; LAGER, Kelly.If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/981,282

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/461,879

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/298,110

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 65 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☒ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal Number of Sheets _____
- b. ☒ Informal Number of Sheets 2
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☒ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☒ Computer Readable Form (CRF)
- b. ☒ Specification Sequence Listing on:
- i. ☒ CD-ROM or CD-R (2 copies); or
- ii. ☒ Paper
- c. ☒ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☐ Assignment Papers *(cover sheet & document(s))*
10. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☒ Information Disclosure Statement/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EV 343764573 US

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17. ☐ Additional Enclosures (please identify below):

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An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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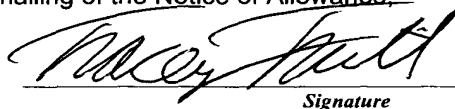
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Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	19	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	7	- 3 =	4	x \$84.00	\$336.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$740.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$1,076.00

- ☒ A check in the amount of **\$1,076.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **19-0522** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance pursuant to 37 C.F.R. 1.311(b).


Signature

Dated: September 3, 2003

Tracey S. Truitt, Reg. No. 43,205
HOVEY WILLIAMS LLP
2405 Grand Blvd., Suite 400
Kansas City, Mo 64108
816/474-9050



23589

PATENT TRADEMARK OFFICE

cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

MENGELING, William L. et al.

Serial No. :

Filed: September 3, 2003

PORCINE REPRODUCTIVE AND
RESPIRATORY SYNDROME VACCINE,
BASED ON ISOLATE JA-142

Docket No. 27093B-CNT1

Group Art Unit No.

Examiner:

Commissioner of Patents
Alexandra, VA 22313-1450

Sir:

TRANSMITTAL

Transmitted herewith are: Express Mail Transmittal (1 page); Utility Patent Application Transmittal (4 pages); Specification (61 pages); Claims (3 pages); Abstract (1 page); 2 Drawing Sheets; Sequence Listing (34 pages); Sequence Statement 37 CFR 1.82 (1 page); Sequence Statement 1.821 (1 page); Declaration and Power of Attorney (7 pages); IDS Statement (1 page); IDS form PTO-1449 (1 page) Filing Fee of \$1076.00; 12 references (290 pages); and return postcard.

EV 343764573 US

Respectfully submitted,

Date: September 3, 2003

By



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ATTORNEYS FOR APPLICANT(S)